

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:

Von Der Kammer et al.

Art Unit: 1633

Application No: 10/595,619

Examiner: Maria Marvich

Confirmation No: 3638

Filed: May 1, 2006

Atty. Docket No: 37998-237364

For: DIAGNOSTIC AND THERAPEUTIC USE  
OF THE HUMAN DAX-1 GENE AND  
PROTEIN FOR NEURODEGENERATIVE  
DISEASES

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Customer No:

**26694**  
PATENT TRADEMARK OFFICE

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 2, 2008 (Paper No. 20080505), Applicant makes the following election without traverse.

The Examiner has required restriction between the claims listed in Groups I-IX as listed in the Office Action on pages 2-3. Applicant hereby provisionally elects Group III (claims 4-8, 11, 12, 19-23 and 26) drawn to transgenic animals comprising DAX-1 and methods of using the same for continued examination.